

Decision \_\_\_\_\_

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Southern California Edison Company (U338E) for Approval of Its Charge Ready and Market Education Programs.	Application 14-10-014 (Filed October 30, 2014)
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**DECISION GRANTING COMPENSATION TO VOTE SOLAR FOR  
SUBSTANTIAL CONTRIBUTION TO DECISION 16-01-023**

<b>Intervenor: Vote Solar</b>	<b>For contribution to Decision (D.) 16-01-023</b>
<b>Claimed: \$14,260.00</b>	<b>Awarded: \$13,862.50(reduced 2.8%)</b>
<b>Assigned Commissioner: Carla Peterman</b>	<b>Assigned ALJ: Darwin Farrar</b>

**PART I: PROCEDURAL ISSUES**

<b>A. Brief description of Decision:</b>	Decision (D.) 16-01-023 modifies and adopts the terms of the joint party Proposed Settlement regarding Southern California Edison Company's (SCE) application for its Charge Ready and Market Education Programs. SCE is authorized to collect \$22 million in revenue requirement to implement the Phase 1 pilot Charge Ready and complementary Market Education Programs. This decision modifies the Proposed Settlement terms governing the rebate amount, reporting requirements, cost management, regulatory and transition processes, and load management.
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**B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:**

	<b>Intervenor</b>	<b>CPUC Verified</b>
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference (PHC):	2/2/2015	Verified.
2. Other specified date for NOI:		
3. Date NOI filed:	3/4/2015	Verified.
4. Was the NOI timely filed?	Yes, Vote Solar timely filed the notice of intent to claim intervenor	

		compensation.
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	A.14-10-014	Verified.
6. Date of ALJ ruling:	3/25/2015	Verified.
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer or customer-related status?	Yes, after reviewing the additional information provided by Vote Solar, we determine that Vote Solar demonstrates appropriate status.	
Showing of “significant financial hardship” (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	A.14-10-014; See Part C for additional information regarding Vote Solar’s showing.	Verified.
10. Date of ALJ ruling:	3/25/2015	Verified.
11. Based on another CPUC determination (specify):	See also D.15-06-026	
12. Has the Intervenor demonstrated significant financial hardship?	Yes, Vote Solar demonstrated significant financial hardship.	
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.16-01-023	Verified.
14. Date of issuance of Final Order or Decision:	1/14/2016	01/25/2016
15. File date of compensation request:	3/25/2016	Verified.
16. Was the request for compensation timely?	Yes, Vote Solar timely filed the claim for intervenor compensation.	

**C. Additional Comments on Part I):**

#	Intervenor's Comment(s)	CPUC Discussion
9	<p>On March 25, 2015, ALJ Karin M. Hieta ruled that Vote Solar had preliminarily demonstrated significant financial hardship, subject to the following requirements:</p> <p>In its request filed pursuant to § 1804(c), Vote Solar must provide the following information and documents in support of its demonstration of significant financial hardship:</p> <p>a. If Vote Solar has acted in partnership or done a professional work for, any industry-funded groups and organizations, or any corporations, including public utilities or renewable energy – a list of these entities, the purposes of the partnering or work; the role of Vote Solar in the partnership or working arrangement; and the nature of relationship between Vote Solar and these entities.</p> <p>b. The most recent annual income and expense statement and balance sheet.<sup>3</sup></p> <p><sup>3</sup>The financial documents have to distinguish between grant funds committed to specific project (such as participation in this proceeding) and discretionary funds.</p> <p>Vote Solar submits a list of partnerships and professional work in Attachment 3 and its 2015 Annual Income and Expense Statement and Balance Sheet in Attachment 4.</p>	<p>Verified. The Commission determines that Vote Solar is eligible for intervenor compensation in this proceeding.</p>

**PART II: SUBSTANTIAL CONTRIBUTION****A. Did the Intervenor substantially contribute to the final decision (see § 1802(i), § 1803(a), and D.98-04-059).**

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p><b>A) Coordination with Distribution Resources Plan (R.14-08-013):</b></p> <p>Vote Solar's primary interest in this, along with the other IOUs EV charging program applications, has been coordination with the Distribution Resources Planning process (R.14-08-013) in compliance</p>		<p>Verified.</p>

<p>with Assembly Bill 327 and Public Utilities Code Section 769, which require IOUs to identify optimal locations on the distribution grid for Distributed Energy Resources (DERs), which include EVs, and evaluate the locational benefits of DERs.</p> <p>Vote Solar’s Prehearing Conference (PHC) Statement (1/26/15, p. 3) recommended “that the site selection criteria include an evaluation of current and projected local capacity and ancillary service needs at various times during the day as well as seasonally at a more granular circuit level. This will help ensure that VGI capabilities are deployed the right locations and times to maximize the value and benefits to the local grid.”</p> <p>Vote Solar’s PHC Statement (1/26/15, p. 3) also stated: “Evaluating system needs at the circuit level is a primary goal of the Distribution Resource Plans (DRP) proceeding. SCE and the other investor-owned utilities will each be required to develop distribution resource plans that identify circuit level grid needs along with potential distributed energy resources to address these needs. Vote Solar believes VGI capabilities should be part of these plans and recommends SCE’s pilot be considered for inclusion in their DRP. We further recommend that SCE</p>	<p>D.16-01-023 amends the settlement agreement, adding specific reference to AB 327 and strengthening the metrics related to coordination with the Distribution Resource Planning (D.14-08-013), consistent with Vote Solar’s PHC Statement and Ex Parte Notice:</p> <p><b>D.16-01-023, p. 23:</b> “...SCE shall work with the Advisory Board to select a geographic information systems (GIS)-based tool and interface that the public and other utilities can use to track the progress and attributes of the deployment. The Commission encourages SCE to use this data to inform their Distribution Resource Planning efforts pursuant to Assembly Bill (AB) 327.”</p> <p><b>D.16-01-023, p. 37 and Ordering Paragraph 12, p. 62:</b> “The Advisory Board shall consider the following metrics in developing its final set of recommended metrics:</p> <p>f) Strategic placement of EVSE, and as applicable the associated Distributed Energy Resources, consistent with the system locational benefit considerations of Assembly Bill 327 and Rulemaking 14-08-013...”</p>	
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<p>proactively seek out potential customer participants for the Charge Ready Program in locations on circuits identified in the DRP as having the greatest potential benefit for deployment of distributed energy resources.”</p> <p>On October 21, 2015, Vote Solar had an ex parte meeting with David Gamson, Chief of Staff for Assigned Commissioner Carla Peterman, to discuss the overlap between the Alternative Fuel Vehicle OIR/EV charging program applications (A.14-10-014, A.15-02-009, A.14-04-014/R.13-11-007), Distribution Resource Planning (R.14-08-013), and Integration of Distributed Energy Resources (R.14-10-003) proceedings. Vote Solar’s Ex Parte Meeting Notice (10/26/15, p. 2) stated that: “Mr. Baak suggested EV charging station programs and pilots include integration capacity analysis results as one of the site selection criteria, that IOUs evaluate other forms of DER to mitigate infrastructure upgrades, and implement demonstration or pilot programs to test new revenue models.”</p>		
<p><b>B) Renewable Integration</b></p> <p>In our PHC Statement (1/26/15, pp. 1-2), Vote Solar stated its support for SCE’s requirement that all Level 2 charging equipment be capable of providing demand response since “...this capability is an</p>	<p>D.16-01-023 amends the settlement agreement, strengthening the metrics related to integration of renewable energy, particularly related to over-generation and curtailment, consistent with Vote Solar’s PHC</p>	<p>Verified.</p>

<p>essential tool to help address any potential over-generation or ramping situations that may occur in the future with higher levels of solar generation,” and that “...utilities in California will need to use all available means for integrating higher levels of renewable generation into the grid to ensure reliable operation with the lowest possible carbon output.”</p>	<p>Statement:</p> <p><b>D.16-01-023, p. 37 and Ordering Paragraph 12, p. 62:</b> “The Advisory Board shall consider the following metrics in developing its final set of recommended metrics:</p> <p>...</p> <p>a) Capacity factors for renewable generators;</p> <p>b) Coincidence of customers’ use of Preferred Resources;</p> <p>...</p> <p>d) Curtailment of renewable energy”</p>	
<p><b>C) Settlement Agreement:</b></p> <p>Vote Solar joined with parties in settlement negotiations and signed onto the Settlement Agreement because it addressed our concerns about anti-competitiveness; adopted guiding principles that highlighted customer choice, addressed grid support and support policy goals; took a reasonable phased-in approach that would ultimately allow for coordination with the Distribution Resource Plan; and would allow testing of demand response capabilities that could help integrate more renewable energy onto the grid.</p> <p>This is consistent with Vote Solar’s original position, as reflected our PHC Statement (1/26/15), including: “Vote Solar generally agrees with the scope of the (SCE) proposed Charge Ready Program” (p. 1), “(w)e also strongly support SCE’s plan to require all Level 2 charging equipment to</p>	<p><b>D.16-01-023, p. 3:</b> “On July 9, 2015, SCE and other parties filed a motion (Motion) requesting that the Commission adopt a Settlement Agreement Resolving Phase 1 of Southern California Edison Company’s (U338E) Application for Approval of its Charge Ready and Market Education Programs (Proposed Settlement).<sup>1</sup>”</p> <p><sup>1</sup> The settling parties are SCE, American Honda Motor Co., Inc. (American Honda), CALSTART, California Energy Storage Alliance (CESA), ChargePoint, Inc. (ChargePoint), Coalition of California Utility Employees, Energy Defense Fund (EDF), General Motors, LLC, Greenlining Institute, Natural Resource Defense Council (NRDC), NRG Energy, Inc., Office of Ratepayer Advocates (ORA), Plug In America, Sierra Club, The Utility Reform Network (TURN), and Vote Solar (collectively referred to as “Joint Settling Parties” or “Settling Parties”).”</p> <p>D.16-01-023 modified the settlement to include issues raised by Vote Solar in our Prehearing Conference Statement</p>	<p>Vote Solar’s representation of the terms of the settlement approved in D.16-01-023 is accurate and its description of its prior litigation positions is also accurate. Pursuant to (D.) 94-10-029, the Commission has discretion to award compensation to parties who participated in settlement agreements, when there is a finding that they made a substantial contribution to a decision. We find that Vote Solar’s participation in the settlement made a substantial contribution to D.16-01-023.</p>

<p>provide demand response capabilities” (p. 1), and “(w)e believe SCE’s proposal for installing and owning all infrastructure up to the “make-ready” stub eliminates many of the utility ownership an competitive issues...” (p. 3).</p> <p>As shown in (A) and (B) above, Vote Solar’s original position also included support for coordinating with Distribution Resource Planning per D.14-08-013 and integrating renewable energy, both of which were reflected in the Final Decision, but not the Proposed Settlement.</p>	<p>of 1/26/15:</p> <p><b>D.16-01-023, pp. 6-7:</b> “As discussed in more detail below, based on the record before us we find that, as written, the Proposed Settlement is not reasonable. However, as modified below, the Proposed Settlement is reasonable in light of the whole record, consistent with law, and in the public interest. In reaching this conclusion, we have examined the positions of the various parties, reviewed and compared the Phase 1 Settlement Agreement to the original positions of the parties, considered the legal arguments raised by the parties, and taken into account the public interest and concern with safety and reliability.”</p>	
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**B. Duplication of Effort (§ 1801.3(f) and § 1802.5):**

	<b>Intervenor’s Assertion</b>	<b>CPUC Discussion</b>
<b>a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding?</b>	<b>Yes</b>	Verified.
<b>b. Were there other parties to the proceeding with positions similar to yours?</b>	<b>Yes</b>	Verified.
<b>c. If so, provide name of other parties:</b> Environmental Defense Fund, Green Power Institute, Sierra Club, California Energy Storage Alliance, Charge Point, Inc., NRDC, TURN, ORA.		Yes.
<p><b>d. Intervenor’s claim of non-duplication:</b></p> <p>While Vote Solar was generally supportive of SCE’s Application from the outset and later signed onto the Settlement Agreement with other parties, we maintained our insistence throughout the proceeding that this and all IOU EV charging programs align with and coordinate with their respective Distribution Resources Plans, consistent with AB327. Vote Solar has been the primary, if not only party to stress the importance of coordinating the EV programs with the Distribution Resource Plans for the purpose of integrating more renewable energy onto the grid.</p>		Agreed, Vote Solar did not engage in duplicative participation.

**PART III: REASONABLENESS OF REQUESTED COMPENSATION****A. General Claim of Reasonableness (§ 1801 and § 1806):**

<b>a. Intervenor's claim of cost reasonableness:</b>	<b>CPUC Discussion</b>
<p>Vote Solar's participation in this proceeding was directed at policy and environmental matters, and therefore ascertaining direct benefits, in terms of actual dollars, to ratepayers is difficult. Nevertheless, Vote Solar's actions as an individual party resulted in direct and specific ratepayer benefits in that the Commission determined, that the Joint Party Settlement Agreement to which Vote Solar was a party, with certain modifications was reasonable, consistent with the law and in the public interest. Significantly, those modifications included issues that Vote Solar advocated for in this proceeding (coordination with the Distribution Resources Planning effort and monitoring how well the program addresses integration of renewable energy).</p> <p>Therefore, Vote Solar's participation is fully consistent with D.88-04-066, mimeo, p.3, which states:</p> <p>"With respect to environmental groups, [the Commission has] concluded they were eligible in the past with the understanding that they represent customers whose environmental interests include the concern that, e.g., regulatory policies encourage the adoption of all cost-effective conservation measures and discourage unnecessary new generating resources that are expensive and environmentally damaging. They represent customers who have a concern for the environment which distinguishes their interests from the interests represented by Commission staff, for example." mimeo, p.3.</p> <p>Ultimately, ratepayers have directly benefitted by the above-described advocacy by Vote Solar and its focus on environmental concerns and developing the full potential of solar and other preferred resources.</p>	<p>Verified.</p>
<p><b>b. Reasonableness of hours claimed:</b></p> <p>Vote Solar is a small, tightly staffed and budgeted organization with a relatively flat management structure. We continuously strive to bring a unique perspective or contribution to our advocacy at the Commission, and where we have similar positions to allies, we make every effort to divide labor efficiently.</p> <p>Vote Solar worked diligently to avoid unnecessary duplication of effort with other parties, instead focusing on core issues of concern not addressed by other parties (including coordination with the DRP and renewable integration), and joining other parties where our interests were aligned.</p>	<p>Verified, but see CPUC Disallowances and Adjustments, below.</p>



<b>c. Allocation of hours by issue:</b>  <b>Issue A.</b> Coordination between SCE's EV Charge Ready and Market Education Programs and the Distribution Resource Plan proceedings. <b>17.5 hours (30%)</b>  <b>Issue B.</b> Addressing Integration of Renewable Energy. <b>8 hours (14%)</b>  <b>Issue C.</b> Supporting the Joint Party Settlement Agreement. <b>11.5 hours (20%)</b>  <b>Issue D.</b> General and Procedural <b>21 hours (36%)</b>	Verified.
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**B. Specific Claim:\***

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Jim Baak	2014	10	\$280	D.15-06-026	\$2,800	10.00	\$280.00	\$2,800.00
Jim Baak	2015	28	\$295	D.15-06-026; Comment 1	\$8,260	25.00 [1]	\$295.00	\$7,375.00
Jim Baak	2016	2	\$295	D.15-06-026; Comment 1	\$590	2.00	\$295.00	\$590.00
Subtotal: \$11,650.00						Subtotal: \$10,765.00		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Jim Baak	2016			D.15-06-026; Comment 1		3	\$147.50	\$442.50
Jim Baak	2016	18	145	D.15-06-026; Comment 1	\$2,610	18	\$147.50	\$2,655.00
Subtotal: \$2,610.00						Subtotal: \$3,097.50		
TOTAL REQUEST: \$14,260						TOTAL AWARD: \$13,862.50		
<p>**We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenor’s records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time typically compensated at ½ of preparer’s normal hourly rate</p>								

**C. Intervenor's Comments on Part III:**

<b>Comment #</b>	<b>Intervenor's Comment(s)</b>
Comment 1	<b>2015/2016 Hourly Rate for Expert Jim Baak:</b> For Mr. Baak's work in 2015 and 2016, Vote Solar seeks an hourly rate of \$295. Mr. Baak's 2014 hourly rate of \$280 was approved in D.15-06-026. Vote Solar's request to increase Mr. Baak's 2015 and 2016 hourly rate by 5% is made pursuant to D.08-04-010 and D.07-01-009, which authorize two 5% step increases for experts in the 13+ years' experience tier. This request is for approval of the first of the two permitted 5% step increases. Mr. Baak's requested 2015 and 2016 rate is within the range approved in Resolution ALJ-308 for experts with 13+ years of experience.

**D. CPUC Disallowances and Adjustments:**

<b>Item</b>	<b>Reason</b>
[1]	Baak claimed 3 hours related to the preparation of Vote Solar's notice of intent to claim intervenor compensation. These hours have been compensated at a ½ rate as they are intervenor compensation related hours.

**PART IV: OPPOSITIONS AND COMMENTS**

<b>A. Opposition: Did any party oppose the Claim?</b>	No.
<b>B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(c)(6))?</b>	Yes.

**FINDINGS OF FACT**

1. Vote Solar has made a substantial contribution to D.16-01-023.
2. The requested hourly rates for Vote Solar representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$13,862.50.

**CONCLUSION OF LAW**

1. The Claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.

**ORDER**

1. Vote Solar shall be awarded \$13,862.50.
2. Within 30 days of the effective date of this decision, Southern California Edison Company shall pay Vote Solar the total award. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning June 8, 2016, the 75<sup>th</sup> day after the filing of Vote Solar's request, and continuing until full payment is made.
3. The comment period for today's decision is waived.

This decision is effective today.

Dated \_\_\_\_\_, at Sacramento, California.

**APPENDIX****Compensation Decision Summary Information**

<b>Compensation Decision:</b>		<b>Modifies Decision?</b>	No
<b>Contribution Decision(s):</b>	D1601023		
<b>Proceeding(s):</b>	A1410014		
<b>Author:</b>	ALJ Farrar		
<b>Payer(s):</b>	Southern California Edison Company		

**Intervenor Information**

<b>Intervenor</b>	<b>Claim Date</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>	<b>Multiplier?</b>	<b>Reason Change/Disallowance</b>
Vote Solar	3/25/2016	\$14,260.00	\$13,862.50	N/A	See CPUC Disallowances and Adjustments, above.

**Advocate Information**

<b>First Name</b>	<b>Last Name</b>	<b>Type</b>	<b>Intervenor</b>	<b>Hourly Fee Requested</b>	<b>Year Hourly Fee Requested</b>	<b>Hourly Fee Adopted</b>
Jim	Baak	Expert	Vote Solar	\$280.00	2014	\$280.00
Jim	Baak	Expert	Vote Solar	\$295.00	2015	\$295.00
Jim	Baak	Expert	Vote Solar	\$295.00	2016	\$295.00

**(END OF APPENDIX)**